

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

URBAN GROUP EXERCISE CONSULTANTS,
LTD.

Plaintiff,

v.

DICK'S SPORTING GOODS, INC.,

Defendant.

Civil Action No. 1:12-CV-3599 (RWS)

**NOTICE OF DEFENDANT DICK'S SPORTING GOODS, INC.'S MOTION TO
DISMISS PLAINTIFF'S AMENDED COMPLAINT UNDER FED. R. CIV. P. 12(b)(6)**

PLEASE TAKE NOTICE that upon the accompanying Motion and Memorandum of Law to Dismiss Plaintiff's Amended Complaint Under Fed. R. Civ. P. 12(b)(6), Defendant Dick's Sporting Goods, Inc. ("DSG"), moves this Court before the Honorable Robert W. Sweet, United States District Court Judge, in Courtroom 18C, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date to be determined by the Court, for an order granting DSG's above-referenced motion, pursuant to the Court's inherent authority and Fed. R. Civ. P. 12(b)(6).

This Notice of Motion along with DSG's Motion and Memorandum of Law to Dismiss Plaintiff's Amended Complaint Under Fed. R. Civ. P. 12(b)(6) were filed with the Clerk of the Court on July 6, 2012. In addition, this Notice of Motion and DSG's Motion and Memorandum of Law to Dismiss Plaintiff's Amended Complaint Under Fed. R. Civ. P. 12(b)(6) were served on Plaintiff's counsel on July 6, 2012.

Respectfully submitted,

Dated: July 6, 2012

/s Michael A. Nicodema

Michael A. Nicodema (MAN2949)
Greenberg Traurig, LLP
200 Park Avenue
Florham Park, NJ 07932
(973) 360-7900

Jeffrey P. Dunning
(*pro hac vice* application pending)
Mark R. Galis
(*pro hac vice* application pending)
Elysa Q. Wan
(*pro hac vice* application pending)
Greenberg Traurig, LLP
77 West Wacker Drive, Suite 3100
Chicago, IL 60601
(312) 456-8400

*Attorneys for Defendant Dick's Sporting Goods,
Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of July 2012, the foregoing document is being served on all counsel of record listed on the below Service List via the Case Management/Electronic Case Filing (CM/ECF) and *electronic mail*.

/s/ Michael A. Nicodema

Michael A. Nicodema

SERVICE LIST

Bruce E. Colfin
Jacobson & Colfin, P.C.,
60 Madison Avenue
Suite1026
New York, NY 10010
(212) 691-5630
Fax: (212)-645-5038
Email: bruce@thefirm.com